

MS AMENDMENT  
PATENT  
8048-1190

**IN THE U. S. PATENT AND TRADEMARK OFFICE**

In re application of

Takahisa NISHIZU et al. Conf. 6310

Application No. 10/594,088 Group 2856

Filed: February 26, 2007 Examiner J. P. Fitzgerald

Title: VOLUME MEASURING APPARATUS AND METHOD

**RESPONSE**

Assistant Commissioner for Patents October 16, 2009  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This replies to the Official Action of August 17, 2009.

Responsive to the requirement for election of species,  
Applicants elect Group I, shown in Fig. 1. It is believed that  
claims 1 and 4-9, 12, 13 and 16 are readable on the elected  
embodiment.

An action on the merits is respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future submissions, to charge any deficiency or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

/Robert J. Patch/

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RJP/dp